

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

October 1, 1997

UNITED STATES OF AMERICA,))	
Complainant))	8 U.S.C. 1324a Proceeding
vs.))	
))	OCAHO Case No. 97A00062
UNIVERSITY OF ARIZONA,))	
Respondent))	

ORDER OF DISMISSAL—SETTLED

On January 27, 1997, complainant, acting by and through the Immigration and Naturalization Service (INS), commenced this action, which arises under the Immigration and Nationality Act, as amended, 8 U.S.C. 1324a, by having filed a two (2)–Count Complaint with the Office of the Chief Administrative Hearing Officer (OCAHO), alleging two (2) illegal hire violations in Count I and two (2) paperwork violations in Count II.

On September 22, 1997, the parties jointly filed a Motion to Dismiss, together with a fully executed five (5) page Settlement Agreement, in which they advised that they had reached a compromise settlement of all matters in controversy.

Under 68.14(a)(2) of the OCAHO Rules of Practice and Procedure, where the parties have entered into a proposed settlement agreement and have notified the Administrative Law Judge, a final dismissal of the action is subject to approval of the terms of the settlement agreement by the Administrative Law Judge.

Upon a careful and thorough review of the Settlement Agreement, it is found that the terms set forth therein are fair and reasonable and constitute an appropriate settlement pursuant to 68.14(a)(2).

Accordingly, it is found that:

1. Respondent has withdrawn its request for hearing on the merits; and
2. That each party shall bear its own costs and attorney s fees; and
3. That respondent will pay a civil money penalty in the total amount of \$800 in the manner

set forth in the Settlement Agreement; and

4. That it is appropriate to grant the parties' joint Motion to Dismiss based upon the parties' notification made pursuant to 68.14(a)(2); and

5. That complainant's January 27, 1997 Complaint is hereby ordered to be and is dismissed with prejudice to refiling.

Joseph E. McGuire
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of October, 1997, I have served copies of the foregoing Order of Dismissal–Settled to the following persons at the addresses shown, in the manner indicated:

Office of Chief Administrative Hearing Officer
Skyline Tower Building
5107 Leesburg Pike, Suite 2519
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Cathleen Lascari
Legal Technician to
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Administrative Law Judge
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